



Massachusetts
Department
of
ENVIRONMENTAL
PROTECTION

*Massachusetts Department
of Environmental Protection*

Waste Ban Update and Hauler Certification Concept

**January 24, 2007
SWAC**

Goals for Today

- Provide update on hauler/generator enforcement
- Describe MassDEP's existing regulatory flexibility programs
- Gauge interest in establishing hauler certification
- Discuss next steps

Hauler/Generator Enforcement

- Waste ban regulations: “No person shall dispose, transfer for disposal, or contract for disposal of the restricted material...”
- A critical component of the Commonwealth’s 2005 Solid Waste Master Plan revision

Hauler/Generator Implementation

- Spring 2006 -- Conducted extensive outreach, including:
 - Letters to Solid Waste Facilities and Hauling Companies
 - Handouts for Solid Waste Facilities to provide to hauler/drivers
 - Press release to trade associations of solid waste industry **and** large scale generators

Hauler/Generator Inspection Results (Fall 2006)

1 of 5 of documented loads of solid waste being disposed at Massachusetts solid waste facilities failed for banned materials as observed by MassDEP inspectors

Inspectors observed failed loads of solid waste generators from across the spectrum, including: retailers (large and small), distributors, non-profit organizations, and higher education

Enforcement Actions

- MassDEP issued NONs to 12 companies and organizations for illegal cardboard disposal from nine locations
- The NON recipients are required to draw up a plan to stop the disposal of banned materials

Press on Enforcement

WASTE NEWS.com

Waste Age

recycling today

WORCESTER
Business Journal
THE BUSINESS NEWSPAPER FOR CENTRAL MASSACHUSETTS / METROWEST

The Standard-Times

CAPE COD TIMES

Cardboard



Cardboard/Recyclable Paper



Continued Enforcement and Outreach

- MassDEP is continuing routine waste ban inspections
- Recent Outreach Letters:
 - Haulers: thresholds
 - Facilities: record-keeping

Hauler Feedback to MassDEP

- Expressed concerns regarding hauler liability for generator compliance
 - Closed-top containers
 - Generators who refuse to recycle

Concept: Hauler Certification Program

- Explore the possibility of *voluntary* regulatory flexibility for haulers
- Gauge interest in establishing a workgroup
- Provide stakeholder input into the development of a program

MassDEP Voluntary Regulatory Flexibility Programs

- **Solid Waste:**
 - Municipal: Department Approved Recycling Program Standards (DARP)
 - Commercial: Supermarket Recycling Program Certification (SRPC)
- **Other:**
 - Environmental Results Program (ERP)

DARP

- Municipalities meeting criteria are exempt from comprehensive inspections for paper, containers, leaves & yard waste, but still subject to ongoing monitoring
- Criteria:
 - Recycling & composting commitment/access
 - Public education and participation

SRPC

- Supermarkets meeting criteria are exempt from comprehensive inspections for paper, containers, leaves & yard waste, but still subject to ongoing monitoring
- Criteria: beyond compliance program to recycle organics and shrink wrap

ERP

- Photo processors, printers, dry cleaners, stationary engines certify compliance with the environmental protection requirements
- Required criteria -- provide:
 - Facility information
 - Compliance practices
 - Certification statement

Hauler Certification Program

Potential Components

- Voluntary
- Establish criteria for eligibility
- Goal of criteria would be to:
 - Promote increased recycling
 - Raise awareness of waste bans
 - Improve waste ban compliance
 - Promote a higher level of service

Potential Benefits to Haulers

- Regulatory flexibility for unanticipated failed load
- Level the playing field:
 - Promote compliance by all haulers
 - Minimize opportunities for non-complying haulers to undercut recycling services
- Marketing tool, differentiate among haulers

Potential Benefits to Generators

- Services from certified hauler:
 - Recycling assistance
 - Waste ban education
 - Increased compliance with waste bans
- Good will with customers for recycling

Potential Benefits to MassDEP

- Increase compliance with waste bans
 - Participating haulers:
 - Expand waste ban education of generators
 - Foster opportunities to recycle
 - Provide incentives to promote recycling
 - Non-participating haulers
 - Identify for potential compliance follow up

Hauler Certification Program Proposed Process

- Gauge interest in establishing workgroup
- Workgroup develops recommendations for MassDEP
- MassDEP takes recommendations into consideration for program planning

Who Would Join the Workgroup?

- Haulers
- Solid waste and recycling trade associations
 - MassRecycle and WasteCap
 - NSWMA and SWANA
- Municipalities
- Commercial solid waste generators
- Environmental organizations
- Who else? Suggestions...

Next Steps

- Please sign up on the sheet circulating the room
- Based on interest, we may schedule a meeting 3 weeks from today (February 14)
- MassDEP will follow up with an e-mail and agenda

Any Questions ?



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